

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RALPH EMERSON MILLER,

Plaintiff,

vs.

JOSH BARNS, TANNER CRISP,
SHELBY RIDENOR, DOUGLAS L.
STACK, Att.; GEORGE G. VINTON,
and TONY CORBIN,

Defendants.

4:24CV3136

MEMORANDUM AND ORDER

On July 2, 2025, the Court ordered Plaintiff to file an amended complaint within 30 days or face dismissal of this action. Filing No. 8. To date, Plaintiff has not filed an amended complaint. Instead, Plaintiff filed two documents, both of which the Court construes as motions for a preliminary injunction under Federal Rule of Civil Procedure 65. The first document requests a “cease and desist” order, enjoining the Village of Mullen from removing Plaintiff’s van. Filing No. 9. The second document is a request for an injunction on the Village of Mullen’s nuisance program. Filing No. 10.

Even construed broadly, neither of Plaintiff’s motions can be interpreted to be an amended complaint. Therefore, Plaintiff failed to comply with the Court’s previous Memorandum and Order, Filing No. 8, and this matter must be dismissed without prejudice. Plaintiff’s motions will be denied as moot.

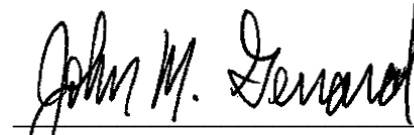
IT IS THEREFORE ORDERED that:

1. This matter is dismissed without prejudice because Plaintiff failed to prosecute it diligently and failed to comply with this Court’s orders.

2. Plaintiff's Motions, Filing Nos. 9 & 10, which the Court construes as motions for preliminary injunction, are denied as moot.
3. The Court will enter judgment by a separate document.

Dated this 4th day of August, 2025.

BY THE COURT:

A handwritten signature in black ink, reading "John M. Gerrard", written over a horizontal line.

John M. Gerrard
Senior United States District Judge